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AO 91 (Rev. 11/11) Criminal Complaint (approved by AUSA K.T. Newton 16-104

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America
v.
Karina Walton

Defendant(s)

Case No. 16- 1487-M

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of Dec. 29, 2012 to June 24, 2013 in the county of Philadelphia and elsewhere in the Eastern District District of PA and elsewhere, the defendant(s) violated:

Code Section	*Offense Description*
18 U.S.C. Section 2314	Interstate transportation of stolen property
18 U.S.C. Section 2	Aiding and abetting

This criminal complaint is based on these facts:

Between on or about December 29, 2012 and on or about June 24, 2013, Karina Walton transported, and aided and abetted the transportation of a stolen sculpture by Auguste Rodin, entitled "Le Baiser," valued at more than $900,000, from Philadelphia, Pennsylvania to New Jersey to New York.

☑ Continued on the attached sheet.

[signature]
Complainant's signature

Jacob B. Archer, Special Agent, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: December 6, 2016

[signature] USMJ
Judge's signature

City and state: Philadelphia, Pennsylvania

Honorable David R. Strawbridge, USMJ
Printed name and title

AFFIDAVIT

I, Jacob B. Archer, having been duly sworn according to law, state as follows:

AFFIANT'S BACKGROUND

1. I am employed as a special agent with the Federal Bureau of Investigation ("FBI") in Philadelphia, Pennsylvania. I have been employed as a special agent since February 2009. I am currently assigned to the FBI's Art Crime Team. I previously was assigned to the FBI's South Jersey Violent Offender and Gang Task Force and the Camden High Intensity Drug Trafficking Area Task Force. During the course of my employment as a special agent, I have made numerous arrests and I have been involved in hundreds of investigations involving violations of state and/or federal laws concerning interstate transportation of stolen property, theft, fraud, robbery, drugs, and homicide.

2. My current assignment to the Art Crime Team involves the investigation of crimes concerning art and cultural property. As a member of the Art Crime Team, I have received specialized training in art and cultural property investigations and assist in art related investigations worldwide in cooperation with foreign law enforcement officials and FBI legal attaché offices. I am also a member of the FBI's Evidence Response Team. As a member of the Evidence Response Team, I have received specialized training on how to collect evidence supporting FBI investigations in a professional, competent, and systematic manner. I have experience collecting numerous types of evidence, to include, but not limited to, fine art, cultural property, and archaeological evidence in furtherance of Art Crime Team investigations.

3. I am currently assigned to an ongoing criminal investigation involving the theft and subsequent interstate transportation of an approximately 23 ½ inch high bronze sculpture by Auguste Rodin, entitled "Le Baiser" ("The Kiss") ("Rodin Sculpture") that George Hadley had

inherited from his mother and had placed in the care of a friend, Elaine Moranz, at her residence in the Philadelphia area and which was subsequently sent for storage with Superior Moving & Storage Inc. ("Superior Moving") in Philadelphia, Pennsylvania.

4. This Affidavit is in support of an application for an arrest warrant for KARINA WALTON, for violations of 18 U.S.C. §§ 2314 and 2 in connection with the transportation from Pennsylvania to New York of the stolen Rodin Sculpture.

5. The information in this Affidavit is based upon my personal knowledge, interviews with witnesses (including KARINA WALTON's ex-husband Patrick Walton, WALTON's mother Karen Giamporcaro, WALTON's brother Joseph Giamporcaro, owner of Superior Moving Mark Brenfleck), review of emails sent between George Hadley and Jana Paley, review of deposition transcripts of KARINA WALTON, Karen Giamporcaro, Jana Paley, Joel Moranz and Mark Brenfleck, as well as information supplied by fellow law enforcement officers and others. Because this affidavit is prepared for the sole purpose of establishing probable cause to support the issuance of a complaint and arrest warrant, what follows is not all of the information that has been uncovered during this investigation.

INVESTIGATION BACKGROUND

FACTS ESTABLISHING PROBABLE CAUSE

Initiation of investigation

Ownership of Rodin Sculpture, "Le Baiser," by George Hadley - 1985

6. In 2013 and in 2015, George Hadley was interviewed by FBI agents in Boston and in Philadelphia. Hadley reported that he had inherited the Rodin Sculpture (a bronze sculpture by Auguste Rodin entitled "Le Baiser"), along with another Rodin bronze sculpture, "Le Printemps" ("Spring") in 1985. Hadley produced photographs of the two Rodin sculptures in his

family home, as well as provenance documentation (both bronze Rodin sculptures listed by name, and indicating that they were signed by Rodin and had the foundry mark of F. Barbedienne, Paris, in an appraised inventory list dated April 20, 1985 of items distributed under the will of Hadley's mother; family correspondence with Vassar College from 1966 through 1973 regarding loan of the two Rodin sculptures to Vassar).

7. Information provided by Hadley in these interviews has been corroborated by the deposition testimony of Joel Moranz, Jana Paley and Mark Brenfleck and interviews of other witnesses, as well as a review of emails between Paley and Hadley and documentation provided by Superior Moving and Christie's.

Loan of "Le Baiser" by Hadley to Elaine Moranz - 1994

8. I learned from Hadley that, in 1994, he loaned the Rodin Sculpture ("Le Baiser") to a friend, Elaine Moranz, a real estate attorney in Philadelphia, as he was a pilot who traveled a great deal and he knew Moranz would care for the sculpture. About that same time, Hadley loaned his other sculpture by Rodin, "Le Printemps," to a friend in Boston. Moranz and her husband Joel kept the Rodin Sculpture in their Wallingford, Pennsylvania home and then moved it to their new home on Sleepy Hollow Drive in Newtown Square, Pennsylvania.

9. I further learned from Hadley that Jana Paley, a friend of Elaine Moranz, lived with the Moranzes in their homes in Wallingford and Newtown Square. Paley knew Hadley and knew the history of the Rodin Sculpture loaned to Elaine Moranz by Hadley. Elaine Moranz died in October 2011, survived by her husband Joel. No one notified Hadley of Elaine Moranz' death at that time and the Rodin Sculpture remained at the Moranz Newtown Square residence

Removal of "Le Baiser" from Moranz home by Jana Paley – December 29, 2012

10. I learned from deposition testimony of Jana Paley, Joel Moranz and Mark Brenfleck, as well as from reviewing documents that, in December 2012, Jana Paley made arrangements with Superior Moving to pack her belongings (which included sculptures and other artwork, designer clothing and accessories, fine china and glassware), move those belongings from the Moranz residence in Newtown Square, and store them at Superior Moving's storage facility in Philadelphia, Pennsylvania while her Philadelphia residence was being renovated. During that move, which took several days, Paley instructed the movers to remove the Rodin Sculpture from the Moranz residence for storage with her belongings. Joel Moranz was not asked about the removal of the Rodin Sculpture from the Newtown Square residence and no one had contacted George Hadley. Listed on a Superior Moving inventory form dated December 29, 2012 (one of seven inventory forms for the Paley move that day) is an entry of "rodin."

11. I learned from documents provided by attorneys representing Jana Paley that other items belonging to Paley that were packed and moved by Superior Moving in the move from the Moranz Newtown Square residence included:

(a) seven framed signed woodcuts by Robert Mangold;

(b) a paper collage, entitled "Cliff Road 2005" by Brian Alfred that Paley had purchased from Studio La Città in Verona, Italy on March 8, 2006 for $4,680; and

(c) a signed C-type print, entitled "Roadscape 63" by Julian Opie that Paley had purchased from Galerie Fluegel-Roncak in Nuremberg, Germany, in 2007 for $8,000.

Consignment of "Le Baiser" to Christie's by Karina Walton – June 24, 2013

12. I learned from documentation provided by Christie's that, on June 24, 2013, KARINA WALTON, a resident of West Deptford, New Jersey, brought a 23.5" bronze sculpture

to Christie's in New York City for consignment for auction. This sculpture had the signature of Rodin and the foundry mark of F. Barbedienne, Paris. WALTON had no provenance documentation for the sculpture, claiming it had been in her possession in New Jersey since 2001 when her father passed away. The sculpture, a bronze "Le Baiser" by Auguste Rodin, which Christie's had authenticated by Jerome Le Blay, a recognized authority on Rodin's sculptures, was accepted for consignment by Christie's, and scheduled for auction in November 2013.

13. I learned from Mark Brenfleck, the owner of Superior Moving, and Tim Poulterer, an employee of Superior Moving, that they knew KARINA WALTON as the girlfriend of James Davis. According to Brenfleck and Poulterer, Davis, who had storage space with Superior Moving in 2012 and 2013, did "cleanouts" for Superior Moving and bought items from foreclosed storage units from Superior Moving. I learned from Brenfleck and Poulterer that WALTON was often with Davis when Davis came to Superior Storage's facility in Philadelphia.

Notification by Jana Paley that the Rodin Sculpture stored with Superior Moving was missing – August 30, 2013

14. I learned from the deposition testimony of Paley and Brenfleck, and a review of emails between Paley and Superior Moving, that, after Superior Moving moved her stored belongings to her residence in Philadelphia, Jana Paley notified Superior Moving in August 2013, via email, that many of her belongings that had been stored with Superior were missing, including designer clothing and accessories, custom luggage, and china and glassware, and that a "bronze sculpture by Rodin of The Kiss" that did not belong to her, as well as other artwork belonging to her, were also missing from the items delivered to her home in Philadelphia.

15. Paley, through attorneys representing her, later identified the seven Mangold woodcuts, the Alfred "Cliff Road" collage, and the Opie "Roadscape 63" C-type print as among

the artwork belonging to her that was not delivered from storage by Superior Moving in August 2013 and provided documentation of her ownership of those pieces.

Discovery of Le Baiser offered for auction by George Hadley – October 2013

16. I learned from George Hadley that, in October 2013, he saw online that a "Le Baiser" sculpture was being offered for auction by Christie's. He then learned of Elaine Moranz' death and contacted Jana Paley and Joel Moranz.

17. I learned from a review of emails between Hadley and Paley in October and November 2013 that Paley informed Hadley that the Rodin Sculpture was missing. She told Hadley that she had taken the Rodin sculpture from Joel Moranz, that she had sent the Rodin Sculpture for storage with her belongings at Superior Moving, that she did not move the Rodin or other pieces of art herself because they were too heavy and too big, and that, in addition to the theft of the Rodin Sculpture, she had over $140,000 of loss from the theft of items packed and stored by Superior Moving during her move from the Moranz home.

Attempt of George Hadley to stop sale of the Rodin Sculpture by Christie's and subsequent sale and litigation – October & November 2013

18. I learned from documentation provided by Hadley and Christie's that, on October 31, 2013, attorneys for George Hadley notified Christie's that they were prepared to file a complaint for injunctive relief to stop the pending auction of the Rodin Sculpture on November 5, 2013.

19. I have reviewed a sworn affidavit, dated November 4, 2013, of KARINA WALTON. In that affidavit, WALTON stated that:

(a) the Le Baiser scheduled for auction on November 5, 2013 had been in her family for many years and had been wrapped up and stored in her parents' home because her mother did not like it;

(b) her father had died in 2001 and her mother agreed she could keep the sculpture;

(c) she had the sculpture in her physical possession from 2001 until she delivered it to Christie's in June 2013 for evaluation; and

(d) her mother suffered from a mental illness after 2001 and WALTON had no way of accessing any family records or photographs concerning the Rodin sculpture.

20. I learned from documentation provided by Hadley and Christie's that, on November 5, 2013, George Hadley and Karina Walton agreed that the auction of the Rodin Sculpture by Christie's should go forward and that they would litigate to whom Christie's would pay the proceeds. That day, the Rodin Sculpture was purchased at auction by a buyer in Hong Kong for $965,000. The proceeds from the sale, after Christie's commission, were $754,178.

21. On November 6, 2013, Karina Walton sued George Hadley for the proceeds from the Christie's sale. I have reviewed the deposition testimony of KARINA WALTON, WALTON's mother Karen Giamporcaro and Mark Brenfleck from that litigation.

22. In her deposition, KARINA WALTON testified that:

(a) her father had given her the sculpture, which was kept in a cardboard box in their garage, when she was 13 or 14 years old;

(b) she got the sculpture when her father died in 2001;

(c) she first kept the sculpture in her in-laws' garage and then kept it in the garage of the home on Carter Avenue in West Deptford, NJ that she and her husband, Patrick Walton, purchased;

(d) she did not list the sculpture on her divorce papers or mortgage application as an asset, and did not learn that it was valuable until May 2013 when she looked it up online after Patrick Walton, from whom she was divorced, suggested it might be worth something;

(e) she then contacted Christie's online and, after someone from Christie's called her, she drove to New York City with the Rodin Sculpture and took it to Christie's; and

(f) her email address was emanon_320@yahoo.com.

23. In her deposition, Karen Giamporcaro, KARINA WALTON's mother, testified that she had never physically seen the Rodin Sculpture and that Joseph Taranto, her husband and KARINA WALTON's father, had never owned any artwork. She also testified that KARINA WALTON had told her that WALTON and her fiancé Jim had purchased the Rodin Sculpture for $100, with each of them putting in half the money, at "a flea market or something" and that they had agreed, if the sculpture was worth anything, they would split the proceeds in half. Giamporcaro also testified that, when she advised WALTON to "come clean," WALTON said that she was "in too deep" and could not change her story because she could be arrested. Giamporcaro further testified that WALTON had brought a copy of her own deposition for Giamporcaro to read and told Giamporcaro to say that she could not remember anything about the sculpture.

24. I learned from Hadley and litigation documents that, in March 2015, Hadley and Walton settled their suit. Under the settlement agreement, Hadley received the proceeds of the sale of the Rodin Sculpture by Christie's and Hadley paid Walton $25,000.

Consignment of artwork by KARINA WALTON and James Davis with Rago Arts & Auction Center ("Rago") in Lambertville, NJ in September & October 2013

25. I learned from Mick Byers, a specialist in Rago's Fine Arts Department in Lambertville, New Jersey, that, on September 30, 2013, James Davis, accompanied by KARINA

WALTON, brought four framed woodcuts by Robert Mangold to a free appraisal day held by Rago. Davis and WALTON told Byers that they had purchased the woodcuts at a flea market. Davis executed a Consignment Agreement and a Contract Inventory Waiver for the four woodcuts, giving his name, address and telephone number. On one of those forms, Davis also provided the email address of WALTON (emanon_320@yahoo.com), whom Davis described as his girlfriend.

26. I learned from Byers that he and Meredith Hilferty, Rago's Director of Fine Arts Auctions, later noted that the four Mangold woodcuts were part of a series of seven and Davis was contacted to see if he had the other three woodcuts from the series. On October 21, 2013, Davis brought the remaining three of the seven Mangold woodcuts, as well as a Brian Alfred paper collage entitled "Cliff Road"(with a label of Studio La Citta, Verona, Italy on the reverse) and a Julian Opie C-type print entitled "Roadscape 63," to Rago for consignment. These items were sold at auction by Rago in May 2014.

27. Jana Paley has identified seven Mangold woodcuts, as well as these Alfred and Opie pieces brought by Davis and WALTON to Rago for consignment, as artwork belonging to her that she had sent to Superior Moving for storage at Superior Moving's facility in Philadelphia in December 2012 and which were missing when her belongings were delivered by Superior Moving from storage to her Philadelphia residence in August 2013.

Interviews with WALTON's ex-husband and brother

28. In March 2015, I interviewed Joseph Giamporcaro, KARINA WALTON's brother, who told me that he had lived off and on with his sister in her home on Carter Avenue in West Deptford, NJ. I showed him a photograph of the Rodin Sculpture and he told me that he had never seen the Rodin Sculpture in his father's home or in KARINA WALTON's home.

29. In March 2015, I interviewed Patrick Walton, KARINA WALTON's ex-husband, who told me that he had first seen the Rodin Sculpture in WALTON's home in West Deptford in 2013, that KARINA WALTON had asked him to lie in a deposition about when he had first seen the Rodin Sculpture, and that KARINA WALTON had provided him with a copy of her deposition and told him to follow the script. Patrick Walton also stated that KARINA WALTON was dating a man named Jim, that KARINA WALTON and Jim did cleanouts together, and that KARINA WALTON had told him that she had gotten the Rodin Sculpture from a cleanout in Philadelphia.

CONCLUSION

30. Based on my training and experience, and the facts listed below, there is probable cause to believe that KARINA WALTON transported, and aided and abetted the transportation of, the Rodin Sculpture from Philadelphia, Pennsylvania to New York, New York and that, at that time, she knew the Rodin Sculpture had been stolen. The facts supporting probable cause include:

a. KARINA WALTON's testimony and sworn affidavit that the Rodin Sculpture had been stored in her father's garage since she was a child, that she had received the Rodin Sculpture after the death of her father in 2001, and that she kept the Rodin Sculpture in the garage of her in-law's home and then her home, contrasted with the statements of WALTON's mother, ex-husband and brother that they had never seen the Rodin Sculpture in any of these locations;

b. Statements of WALTON's mother and ex-husband that WALTON had asked them to lie about her possession of the Rodin Sculpture and provided them with copies of her deposition so they could "follow the script";

c. Statement of WALTON's mother that WALTON told her she had bought the Rodin Sculpture at a flea market for $100 and statement of WALTON's ex-husband that WALTON told him she had gotten the Rodin Sculpture from a cleanout in Philadelphia;

d. Statement of WALTON's mother that, when she advised WALTON to "come clean" about the Rodin Sculpture, WALTON said that she was "in too deep" and could not change her story because she could be arrested;

f. Identification by Superior Moving representatives of WALTON and James Davis as individuals who were seen together often at the Superior Moving facility in the time period after Jana Paley had her belongings, and the Rodin Sculpture, packed and stored by Superior Moving;

g. Identification of KARINA WALTON and James Davis as the individuals who brought other artwork belonging to Jana Paley that had been stored at Superior Moving to Rago for consignment in September and October 2013;

h. WALTON's lack of any provenance documentation for the Rodin Sculpture, and the lack of any provenance documentation provided to Rago for the Mangold, Alfred and Opie artwork consigned by Davis with WALTON;

i. George Hadley's provenance documentation for the Rodin Sculpture, as well as that for "Le Printemps," the other sculpture by Auguste Rodin owned by Hadley; and

j. Testimony, emails and documentation from Jana Paley, Joel Moranz and Superior Moving about the packing and storage of the Rodin Sculpture by Superior Moving at Jana Paley's direction.

31. Based on the above facts, there is probable cause to believe that KARINA WALTON committed the substantive offense of, and aided and abetted the offense of, interstate transportation of stolen goods, in violation of 18 U.S.C. §§ 2314 and 2.

JACOB B. ARCHER
Special Agent, Federal Bureau of Investigation

SWORN AND SUBSCRIBED BEFORE ME
THIS 6 DAY OF DECEMBER, 2016

HONORABLE DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE